



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
TENNESSEE REAL ESTATE COMMISSION
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243
615-741-2273
<http://www.tn.gov/commerce/section/real-estate-commission>

MINUTES

The Tennessee Real Estate Commission held a meeting July 12, 2017 at 9:00 a.m. CST in room 1B of the Davy Crockett Tower located at 500 James Robertson Parkway Nashville, TN 37243.

The Meeting was called to order by Vice-Chairman Austin McMullen.

Vice-Chairman McMullen welcomed everyone to the Board meeting.

Assistant General Counsel Sarah Mathews read the public disclaimer and called roll. The following Commission Members were present: Chairman Griess, Vice Chairman Commissioner Austin McMullen, Commissioner Marcia Franks, Commissioner Diane Hill, Commissioner Fontaine Taylor, Commissioner Gary Blume, Commissioner Rick Douglass, Commissioner Johnny Horne, and Commissioner Bobby Wood. Others present: Assistant Commissioner Carter Lawrence, Chief Counsel Mark Green, Assistant General Counsel Sarah Mathews, Assistant General Counsel Robyn Ryan, Assistant General Counsel Erica Smith, Paralegal Rianna Womack, Education Director Ross White, Commission Staff Sherry Brame, Elizabeth Bennich, Aaron Smith and Melissa Fox.

Vice Chairman Commissioner Austin McMullen was absent after the lunch break.

The July 12, 2017 board meeting agenda was submitted for approval and amended to include agreed citations, team leaders, broker post 120, advertising, the Attorney General decision on firm reinstatement and an update on the search for an Executive Director all under commission discussions.

Commission approved agenda as amended.

Minutes for the June 14, 2017 board meeting were submitted for approval.

Commissioner Franks requested a change to page four of the minutes to add a summary of the Senate Bill 1217 discussion.

Motion made by Commissioner Taylor and seconded by Commissioner Wood to approve the June 14, 2017 minutes as amended. Motion carried unanimously.

MEDICAL WAIVER REQUESTS -

Assistant General Counsel Sarah Mathews presented before the commission, on the behalf of Lynnese Philalom, the request for waiver of penalty fees for late renewal due to medical issues.

Motion made by Commissioner Blume to approve the medical waiver, seconded by Commissioner Douglass. Motion carried 6-2 with Commissioners Franks and Taylor voting against. Commissioner Griess abstained.

Assistant General Counsel Sarah Mathews presented before the commission, on the behalf of Valerie Allen, the request for waiver of penalty fees for late renewal due to medical issues.

Motion made by Commissioner Blume to deny the request for medical waiver, seconded by Commissioner Hills. Motion carried 8-1 with Commissioner Horne voting against.

Assistant General Counsel Sarah Mathews presented before the commission, on the behalf of Ed Garrett, the request for waiver of penalty fees for late renewal due to medical issues.

Motion made by Commissioner Franks to approve the medical waiver, seconded by Commissioner Taylor. Motion carried unanimously.

INFORMAL APPEARANCE-

Dena Pierson appeared before the commission along with Principal Broker Van Hix Masengill, appeared before the commission to request to apply licensure.

Request for licensure was approved. Motion made by Commissioner Franks to approve the request for licensure, seconded by Commissioner Horne. Motion carried unanimously.

ZONING LETTER WAIVER REQUEST -

Assistant General Counsel Sarah Mathews presented before the commission, on the behalf of MB Real Estate Services (from attorney David Kleinfelter), the request for waiver of the required zoning letter as part of a new firm application due to a delay in being able to obtain one.

Motion made by Commissioner Franks to deny the zoning letter waiver request, seconded by Commissioner Taylor. Motion passed 7-2m with Commissioners Griess and Douglass voting against.

EDUCATION REPORT- (Attachment A)

Motion made by Commissioner Franks to approve courses J1-J39, motion seconded by Commissioner Griess. Motion carried unanimously. Commissioner McMullen abstained from course J25.

Course J27 was removed for further consideration with Education Director Ross White gathering additional information and representing later in the day. Upon presentation of additional information regarding course material motion was made to approve course J27. Motion was made by Commissioner Wood to approve course J27, motion seconded by Commissioner Douglass. Motion carried unanimously.

Course J26, Marijuana in Real Estate, from the June 14, 2017 Commission meeting was presented for further review and discussion. Motion made by Commissioner Taylor to deny course J26, motion seconded by Commissioner Franks. Motion carried 5-4 with Commissioners Griess, Douglass, Horne and McMullen voting against.

Commissioner Franks requested that Education Director White make the pass/fail rates of the education providers be part of the Education Director's report moving forward.

PSI handbook changes were submitted for approval. Commissioner Wood made a motion to remove the requirement of 12 hrs. of education after a third failed attempt of the affiliate / broker exam, and to require a 30 day wait period after the 4th attempt and any subsequent attempts. Motion was seconded by Commissioner Taylor. Motion carried 8-1 with Commissioner Griess voting against.

Commissioner Wood also requested that Assistant General Counsel Sarah Mathews look into who sets the price of the PSI exam.

EXECUTIVE DIRECTORS REPORT-

Review of Financial and Statistical Reports (Attachment B)

COMMISSION DISCUSSIONS-

CE Rule Non-Resident– Draft & Discussion

Commission voted to accept the Draft language as presented and to proceed with the Rule making process. Motion made by Commissioner Franks to accept the draft language of the non-resident CE rule as presented, seconded by Commissioner Hills. Motion carried unanimously.

Property Management

Commissioner Blume suggested that the following language be adopted as a rule regarding property management:

Each licensee engaged in property management must be a licensed broker or have their affiliate license held by a licensed broker and must complete a Real Estate Commission approved Property Management course six (6) hours in length every two years in order to continue in this activity.

Assistant General Counsel Sarah Mathews will review for statutory authority or rule making authority and present her findings at the August 9, 2017 Commission meeting. The commission suggested she also look into requiring specific courses for continuing education for individuals that work in property management.

Agreed Citations

Commissioner Blume requested that the Commission require attendance at one of the monthly Commission meetings as part of the Agreed Citation penalty, to be completed within one year.

Commissioner Griess suggested adding this in as part of the vote during the legal report on a case by case basis.

Renewal fee for Retired Licensees

Commissioner Douglass requested that the Commission discuss waiving the renewal fee while a license is in retirement. Assistant General Counsel Sarah Mathews is to look into whether the Commission has the authority to remove that requirement.

Team leaders

Commission discussed teams and team leaders. Commissioner Blume suggested that team leaders be required to hold a Broker license; Assistant General Counsel Sarah Mathews pointed out that since we don't define team leaders in our rules or statutes we did not have the authority to make that rule but suggested that the Commission continue to research what other states are doing in regard to teams and team leaders and look at creating a new statute to encompass teams and team leaders.

Report on search for Executive Director

Assistant Commissioner Carter Lawrence informed the Commission that the position for Executive Director was posted for two weeks and there were several applicants and that both he and Chairman Griess were excited by both the quantity and the quality of the 36 applicants and that they were currently conducting interviews. The intent is to have a final candidate to present to the Commission at the August 09, 2017 commission meeting.

AG decision on firm reinstatement

As it stands the Commission may not have the statutory authority to add a firm reinstatement transaction. Assistant General Counsel Sarah Mathews has another meeting with the Attorney General before a final decision will be handed down.

Broker120-62-13-303(h)

Motion was made by Commissioner McMullen and seconded by Commissioner Franks to “Reconsider the June minutes” in regard to Broker120-62-13-303(h). Discussion was held on the actual statute and its interpretation as held by the legal department.

Motion was made by Commissioner McMullen and seconded by Commissioner Franks to revoke the interpretation from June 14, 2017 Commission meeting. The Commission asked Chief Counsel Mark Green to prepare and present at the August 9, 2017 Commission meeting the exact verbiage that is to reflect the legal departments interpretation of this statute so that it is accurately reflected in the minutes.

Advertising

Commissioner Taylor brought a piece of advertisement that was sent to her home to share with the Commission as to whether or not it violated TREC statutes and rules. The Commission recommended she file a complaint.

LEGAL REPORT

Consent Agenda

The following cases were presented to the Commission via a Consent Agenda. All cases were reviewed by legal, legal has recommended dismissal. The Commission voted to accept the recommendation of legal counsel. Motion to approve the consent agenda items 1-17 and 19 made by Commissioner Wood and seconded by Commissioner Franks. Motion passed unanimously. Motion to approve the consent agenda items 12-21, 23, 28-35 and 37 made by Commissioner Hills and seconded by Commissioner Franks. Motion passed unanimously. Cases 2017010391, 2017004571, 2017004591, 2017006771, 2017006751, 2017009141, 2017010141 and

2017008861 were moved from the Consent Agenda to the Legal report for the Commission to further review and discuss.

- | | | |
|----------------|----------------|-----------------|
| 1. 2017005191 | 14. 2017009401 | 27. 2017009141 |
| 2. 2017005281 | 15. 2017009981 | 28. 2017009161 |
| 3. 2017005861 | 16. 2017010001 | 29. 2017009081 |
| 4. 2017007881 | 17. 2017010331 | 30. 22017010211 |
| 5. 2017007851 | 18. 2017010391 | 31. 2017010261 |
| 6. 2017007781 | 19. 2017010411 | 32. 2017009851 |
| 7. 2017007811 | 20. 2017005351 | 33. 2017005881 |
| 8. 2017007831 | 21. 2017005371 | 34. 2017006581 |
| 9. 2017014451 | 22. 2017004572 | 35. 2017006651 |
| 10. 2017006321 | 23. 2017009161 | 36. 2017010141 |
| 11. 2017007241 | 24. 2017004591 | 37. 2017010271 |
| 12. 2017007261 | 25. 2017006771 | 38. 2017008861 |
| 13. 2017009381 | 26. 2017006751 | |

Legal Report

Robyn Ryan

1. 2017004771
Opened: 1/24/17
Type of License: Unlicensed
History: None

Recommendation: It does not appear that Respondent had any participation in this matter and therefore the recommendation is to dismiss.

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passes unanimously.

2. **2017004731**
Opened: 1/24/17
Type of License: Unlicensed
History: None

Recommendation: \$1,000.00 civil penalty for unlicensed practice.

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passes unanimously.

3. **2017004811**
Opened: 1/24/17
Type of License: Unlicensed
History: None

Recommendation: \$1,000.00 civil penalty for unlicensed practice.

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passes unanimously.

4. **2017005631**
Opened: 1/27/17
First Licensed: 8/26/05
Expiration: 12/3/17
Type of License: Principal Broker
History: None

Recommendation: \$1,000.00 civil penalty for failure to respond.

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passes unanimously.

5. **201700555**
 Opened: 1/27/17
 First Licensed: 10/29/04
 Expiration: 10/16/17
 Type of License: affiliate broker
 History: 2006 Letter of Instruction

Recommendation: Dismiss

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Wood and seconded by Commissioner Franks. Motion passes unanimously.

6. **2017005801**
 Opened: 1/27/17
 First Licensed: 3/24/03
 Expiration: 6/29/18
 Type of License: Affiliate Broker
 History: None

Recommendation: \$250.00 civil penalty for failure to respond to this complaint.

Decision: The Commission voted to authorize a Letter of Warning re failure to respond, TCA § 62-13-312(b)(14).

Motion by Commissioner Wood and seconded by Commissioner Horne. Motion passes unanimously.

7. **2017005821**
 Opened: 1/27/17
 First Licensed: 11/8/05

Expiration: 9/30/18
Type of License: Principal Broker
History: None

Recommendation: Dismiss

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passes unanimously.

8. 2017006141
Opened: 1/30/17
First Licensed: 6/14/12
Expiration: 6/13/18
Type of License: Affiliate Broker
History: None

Recommendation: Letter of Warning re providing services with honesty and good faith TCA 62-13-403(4).

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passes 7-1 with Commissioner Wood voting against.

9. 2017006161
Opened: 1/30/17
First Licensed: 4/7/00
Expiration: 3/14/19
Type of License: Real Estate Broker
History: December 2014 Consent Order: Failure to Supervise
December 2016 Letter of Warning: Advertising

Recommendation: Dismiss

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passes unanimously.

- 10. 2017008021**
Opened: 2/6/17
First Licensed: 6/1/15
Expiration: 5/31/17
Type of License: Affiliate Broker
History: None

Recommendation: \$1,000.00 civil penalty for failure to diligently exercise reasonable skill and care, TCA §62-13-403.

Decision: The Commission voted to authorize a civil penalty for \$1,000.00 for violation of TCA § 62-13-403(1) (reasonable skill and care), and four hours of continuing education in contracts above and beyond the hours required to be completed within 180 days of the Consent Order being entered.

Motion by Commissioner Wood and seconded by Commissioner Hills. Motion passes unanimously.

- 11. 2017008151**
Opened: 2/6/17
First Licensed: 2/7/03
Expiration: 3/8/18
Type of License: Principal Broker
History: None

Recommendation: Dismiss

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Hills and seconded by Commissioner Wood. Motion passes 7-1 with Commissioner Franks voting against.

12. 2016051901 - REPRESENT

Opened: 9/2/16

First Licensed: 8/26/02

Expiration: 3/21/17 Type of License: Principal Broker -Revoked

History: 2012 Consent Order for \$500 civil penalty-failure to remit

2017 Hearing Revocation-failure to remit, improper dealing, failure to respond, failure to obey instructions of the client, and failure to provide

reasonable skill and care

New Recommendation: Close and flag should Respondent apply for new license.

New Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Wood and seconded by Commissioner Hills. Motion passes unanimously.

13. 2017021531

Opened: 4/6/17

First Licensed: 8/26/02

Expiration: 3/21/17 Type of License: Principal Broker -Revoked

History: 2012 Consent Order for \$500 civil penalty-failure to remit

2017 Hearing Revocation-failure to remit, improper dealing, failure to respond, failure to obey instructions of the client, and failure to provide reasonable skill and care

Recommendation: Close and flag should Respondent apply for new license.

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passes unanimously.

14. 2016072141 - REPRESENT

Opened: 12/7/16

Type of License: Unlicensed

History: None

Recommendation: Close and flag.

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Hills and seconded by Commissioner Horne. Motion passes unanimously.

15. **2017003081**
 Opened: 1/13/17
 First Licensed: 10/28/10
 Expiration: 10/27/18
 Type of License: Real Estate Firm
 History: None

Recommendation: This is a real estate firm license but the business appears to be timeshare related. Timeshare laws do not have a response requirement. Recommendation is for discussion.

Decision: The Commission voted to dismiss the complaint.

Motion by Commissioner Douglass and seconded by Commissioner Horne. Motion passes unanimously.

Erica Smith

16. **2017005061**
 Opened: 1/25/17
 Type of License: Unlicensed
 History: None

Recommendation: Consent Order for civil penalty in the amount of \$1,000 for unlicensed activity.

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Franks and seconded by Commissioner Douglass. Motion passes unanimously.

- 17. 2017005101**
Opened: 1/25/17
First Licensed: 2/7/73
Expiration: 3/10/19
Type of License: Principal Broker
History: 2011 Consent Order- Failure to Supervise/E & O

Recommendation: Consent Order assessing a Civil Penalty in the amount of \$1000 for failure to supervise.

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Douglass and seconded by Commissioner Franks. Motion passes unanimously.

- 18. 2017007571**
Opened: 2/2/17
First Licensed: 11/23/09
Expiration: 11/22/13
Type of License: Real Estate Firm
History: None

Recommendation: Consent Order for civil penalty in the amount of \$1,000 for unlicensed activity.

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Franks and seconded by Commissioner Horne. Motion passes unanimously.

19. 2017009191
Opened: 2/8/17
First Licensed: 12/17/09
Expiration: 12/10/17
Type of License: Real Estate Broker
History: None

Recommendation: Consent Order assessing a Civil Penalty in the amount of \$500 for failure to supervise.

Decision: The Commission voted to authorize a \$1000 civil penalty for failure to supervise. Motion by Commissioner Taylor and seconded by Commissioner Franks. Motion passes unanimously.

20. 2017009031
Opened: 2/8/17
First Licensed: 3/21/12
Expiration: 3/20/18
Type of License: Affiliate Broker
History: None

Recommendation: Consent Order assessing a Civil Penalty in the amount of \$1000 for violation of TCA 62-13-302 (employment by broker of unlicensed broker).

Decision: The Commission voted to authorize four (4) civil penalties for \$1000.00 each for four (4) violations of TCA 62-13-302 (employment by broker of unlicensed broker)(compensating an employee that is not a broker), six (6) hours of continuing education in a CORE course above and beyond the hours required to be completed within 180 days of the Consent Order being entered, and a suspension of the affiliate broker license for 180 days from the date of the Consent Order being entered.

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passes unanimously.

21. 2017009032
Opened: 2/8/17
First Licensed: 3/21/12
Expiration: 3/20/18

Type of License: Affiliate Broker
History: None

Recommendation: Dismiss

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passes unanimously.

22. 2017010631
Opened: 2/16/17
First Licensed: 5/16/96
Expiration: 2/12/18
Type of License: Affiliate Broker
History: 2003 Complaint

Recommendation: Discussion of suspension if appropriate. In the alternative, Consent Order assessing a Civil Penalty in the amount of \$1000 for violation of TCA § 62-13-312(b)(1) (substantial and willful misrepresentation); \$1000 for violation of TCA § 62-13-312(b)(3) (continued and flagrant course of misrepresentation); \$1000 for violation of TCA § 62-13-403(1)(reasonable skill and care); \$1000 for violation of TCA § 62-13-403(4)(honesty and good faith); and \$1000 for violation of TCA § 62-13-403(7)(A) (self-dealing).

Decision: The Commission voted to authorize a Consent Order assessing a Civil Penalty in the amount of \$1000 for violation of TCA § 62-13-312(b)(1) (substantial and willful misrepresentation); \$1000 for violation of TCA § 62-13-312(b)(3) (continued and flagrant course of misrepresentation); \$1000 for violation of TCA § 62-13-403(1)(reasonable skill and care); \$1000 for violation of TCA § 62-13-403(4)(honesty and good faith); and \$1000 for violation of TCA § 62-13-403(7)(A) (self-dealing); and a suspension of the affiliate broker license for 180 days from the date of the Consent Order being entered.

Motion by Commissioner Wood and seconded by Commissioner Franks. Motion passes unanimously. Subsequent motion made by Commissioner Blume to amend the original decision to also require mandatory attendance at a regularly scheduled Commission meeting within one year, seconded by Commissioner Wood; motion failed 1-6 with Commissioners Douglass, Wood, Franks, Griess, Hills and Horne voting against. Commissioner Taylor abstained.

23. 2017010661
Opened: 2/16/17
First Licensed: 7/6/89
Expiration: 3/25/19
Type of License: Principal Broker
History: None

Recommendation: Consent Order assessing a Civil Penalty in the amount of \$1000 for failure to supervise.

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passes unanimously.

24. 20150224251 - REPRESENT
Opened: 2/9/16
First Licensed: 11/14/06
Expiration: 11/13/16
Type of License: Affiliate Broker
History: No history of disciplinary action.

New Recommendation: Counsel recommends taking the complaint out of litigation monitoring status if possible.

New Decision: The Commission voted to accept the recommendation of legal counsel to take the complaint out of litigation monitoring status and require the Respondent to respond to the complaint.

Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passes unanimously.

25. 20150224271 - REPRESENT
Opened: 2/9/16
First Licensed: 11/14/00
Expiration: 8/1/16
Type of License: Principal Broker
History: No history of disciplinary action.

New Recommendation: If the Commission decides to remove the complaint above from Litigation Monitoring status, Counsel recommends removing this complaint from Litigation Monitoring status as well.

New Decision: The Commission voted to accept the recommendation of legal counsel to take the complaint out of litigation monitoring status and require the Respondent to respond to the complaint.

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passes unanimously.

**26. 2016071541 – REPRESENT
Opened: 12/2/16
Type of License: Unlicensed
History: None**

New Recommendation: Letter of Warning regarding unlicensed activity and licensing requirements.

New Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passes unanimously.

**27. 2017004571
Opened: 1/27/17
First Licensed: 3/5/07
Expiration: 3/4/19
Type of License: Affiliate Broker
History: None**

Recommendation: Dismiss

Decision: The Commission voted to authorize a civil penalty for \$500.00 for violation of TCA § 62-13-403(1) (reasonable skill and care).

Motion by Commissioner Wood and seconded by Commissioner Franks. Motion passes unanimously.

28. 2017004591
Opened: 1/27/17
First Licensed: 5/3/99
Expiration: 5/11/19
Type of License: Principal Broker
History: 2014 Consent Order- Advertising Violation & Gifts and Prizes Violations

Recommendation: Dismiss

Decision: The Commission voted to authorize a Letter of Warning.

Motion by Commissioner Wood and seconded by Commissioner Franks. Motion passes unanimously.

29. 2017006771
Opened: 1/31/17
First Licensed: 12/17/09
Expiration: 12/10/17
Type of License: Real Estate Broker
History: None

Recommendation: Dismiss

Decision: The Commission voted to authorize a civil penalty for \$500.00 for violation of TCA § 62-13-312(b)(15)(failure to supervise).

Motion by Commissioner Wood and seconded by Commissioner Hills. Motion passes unanimously.

30. 2017006751
Opened: 2/1/17
First Licensed: 8/7/14
Expiration: 8/6/18
Type of License: Affiliate Broker
History: None

Recommendation: Dismiss

Decision: The Commission voted to authorize a civil penalty for \$250.00 for violation of TCA § 62-13-403(1) (reasonable skill and care).

Motion by Commissioner Wood and seconded by Commissioner Franks. Motion passes 7-1 with Commissioner Douglass voting against.

31. 2017009141
Opened: 2/9/17
First Licensed: 11/7/89
Expiration: 12/4/18
Type of License: Principal Broker
History: None

Recommendation: Dismiss

Decision: The Commission voted to accept the recommendation of legal counsel.

Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passes 7-1 with Commissioner Douglass voting against.

Meeting adjourned at 4:01 p.m.

ATTACHMENT A

TENNESSEE REAL ESTATE COMMISSION

Education Agenda **July 12, 2017**

CR = Classroom
Webinar=W

I = Internet
PP = Paper & Pencil

Courses Presented for Commission Evaluation

Sponsor/Address/ Contact	Title/Statutory &/or Rule Addressed	Comment	Instructor(s)	Hours
BAM Education Systems, LLC #1519	TREC CORE 2017-2018 (I) Rule 1260-05-.03(5)(a) J1	To satisfy education requirement to renew license every two years.	Brent Maybank	6
Brent Maybank	Real Estate Finance and Tax Issues(I) Rule 1260-05-.03 J2	To increase licensee's knowledge of real estate financing processes, requirements, types and tax implications.	PREVIOUSLY APPROVED	12
	Investment Property Practice & Management(I) Rule 1260-05-.03 J3	Enlighten licensees to the different concepts and processes of investment property which often has a different goal than residential real estate.		12
	Introduction to Commercial Real Estate Sales(I) Rule 1260-05-.03 J4	Give the licensees a glimpse into Commercial real estate to better serve customers/clients and possibly start them down the path of more Commercial education to licensees' knowledge base.		6
	Houses: Buy, Fix, Sell!(I) Rule 1260-05-.03 J5	To educate licensees to the process of buying distressed properties to better serve customers and clients in the process.		4
	Identity Theft: Protecting Your Clients and Your Business(I) Rule 1260-05-.03 J6	To educate licensees on this topic which is a current challenge for licensees all over the country and bring this problem to the mind of licensees, customers and clients.		4

	<p>Understanding 1031 Tax-Free Exchanges(I)</p> <p>Rule 1260-05-.03 J7</p>	<p>Explores the history, evolution, rules and forms of the strategy used to defer tax liability until a later date.</p>		6
	<p>The Truth About Mold(I)</p> <p>Rule 1260-05-.03 J8</p>	<p>This course explores the impact of mold on the real estate industry. Students receive practical information on remediation, reducing liability, sampling and other testing kits, health effects of mold, and the differences between mold and other environmental red flags.</p>		6
	<p>Understanding Credit and Improving Credit Scores: What You Need to Know(I)</p> <p>Rule 1260-05-.03 J9</p>	<p>Gives an overview of credit scores, credit reports, and credit bureaus and it gives advice on preventing identity theft and improving credit.</p>		3
	<p>All Under One Roof(I)</p> <p>Rule 1260-05-.03 J10</p>	<p>What is driving today's client's needs? How do agents and contractors meet those needs? This class will lead licensees through and explain some of the generational changes and how these impact our industry as well as understand the changes and how to communicate with new categories of clients.</p>		6
BAM continued.....	<p>Foreclosures, Short Sales, REO's and Auctions(I)</p> <p>Rule 1260-05-.03 J11</p>	<p>It is increasingly important for licensees to stay current on distressed property topics so as to remain competitive and successful in the market.</p>	Brent Maybank continued...	6
	<p>Environmental Issues In Your Real Estate Practice(I)</p> <p>Rule 1260-05-.03 J12</p>	<p>To educate licensees on common hazards in the residential environment.</p>		6
	<p>Buyer Representation in Real Estate(I)</p> <p>Rule 1260-05-.03 J13</p>	<p>The class offers a great introduction for buyer agents with a focus on the legal and technical aspects such as due diligence and fiduciary duties.</p>		6

BAM continued....	Sustainable Housing & Building Green: What Agents Should Know(I) Rule 1260-05-.03 J14	This class takes the mystery out of green and sustainable building concepts for commercial and residential real estate licensees. It differentiates between government initiatives and nonprofit private associations and explains how each impacts green building and maintenance practices.	Brent Maybank continued....	6
	Scams, Scoundrels, and Real Estate Stings(I) Rule 1260-05-.03 J15	Become an invaluable resource to customer/client and the industry by learning how to spot and report scammers at the first sniff of trouble.		6
	Risk Management(I) Rule 1260-05-.03 J16	Enlighten licensees about professional risk and how to better manage risk for both the licensee as well as customers and clients.		6
	Red Flags: Property Inspection Guide(I) Rule 1260-05-.03 J17	Better educate licensees about property inspections and possible/potential adverse facts that must be disclosed.		6
	Real Estate Finance Today(I) Rule 1260-05-.03 J18	Increase licensee's knowledge of real estate financing processes, requirements, and types.		6
	Property Management and Managing Risk(I) Rule 1260-05-.03 J19	To educate licensees on managing properties for themselves or others as there are different regulations, laws, and liabilities that are not common in residential and/or commercial real estate.		6
Greater Chattanooga Association Of Realtors #1073 Jessica Snyder	Five Star Customer Service: The Ultimate Weapon for an Agent(CR) Rule 1260-05-.03(5)(a) J20	Provides guidelines and best practices for providing five star customer service to consumers before, during, and after a transaction. Students will not only capture a client for the first transaction but for life and in the meantime help the consumer.	Juanita McDowell Marsha Thompson PREVIOUSLY APPROVED	3

Chattanooga Association of Realtors.... continued	At Home with Diversity (NAR's)(CR) Rule 1260-05-.03(5)(a) J21	Purpose is to higher awareness of and sensitivity to the social and cultural constituencies of local real estate markets. Participants will learn about the people who make up the local market along with their values, customs, real estate needs, and expectations of real estate professionals.	Tamika Bryant Monica Neubauer Robert Morris PREVIOUSLY APPROVED	7
	So Much More Than Credit(CR) Rule 1260-05-.03(5)(a) J22	Learn about identity theft, components of credit, credit laws that affect everyone, keeping agent and client info safe while handling business or transactions online and beyond.		3
	Become a Real Estate Social Media Super Star(CR) Rule 1260-05-.03(5)(a) J23	Teaches the agent why social media has become a force in business, how to find and connect with potential clients online plus a behind the scenes tour of Facebook, Twitter, LinkedIn, Active Rain, Google Plus, You Tube, Pinterest and more.	Graig Grant PREVIOUSLY APPROVED	4
	Renovation Mortgages To Grow Your Business(CR) Rule 1260-05-.3(5)(a) J24	All info on renovation mortgages from FHA or Fannie Mae requirements to improvements, valuation, appreciation, purchasing refinances, FHA 203K, Standard, Limited, FNMA Home Style loan.	Joe Daly PREVIOUSLY APPROVED	3
International Council of Shopping Centers(ILSC) #1619 Casey Adams	ICSC 2017 TN/KY Idea Exchange Continuing Education Session(CR) Rule 1260-05-.03(5)(a) J25	The course is designed to transfer knowledge quickly. Attendees will take away practical, current, relevant market information that can be put to use immediately.	Ann Cargile J. Patrick Warfield Tandy Patrick Michael White PREVIOUSLY Approved	4
Linda Olson #1662 NEW Linda Olson	The Art of Networking(CR) Rule 1260-05-.03(5)(a) J26	To teach REALTORS solid strategies and techniques that will allow them to feel more comfortable in network settings, help them to make a positive impression with clients and potential clients, and to assist them in generating new contacts.	Linda Olson NEEDS APPROVAL	3
Louis Kent Breckenridge #1663 NEW	Tennessee Real Estate Principles V3.0(I)	This 60-hour course is designed for pre-licensing students in Tennessee. From the principles of real estate to fair housing, this interactive online course prepares students for a successful career in real estate.	Louis Kent Breckenridge NEEDS APPROVAL	60

Louis Kent Breckenridge...continued	Rule 1260-05-.03 J27	The course includes the latest Tennessee information along with the rules and regulations of the Tennessee Real Estate Commission.	Louis Kent Breckenridge...continued	30
	Tennessee Course for New Affiliates(I) Rule 1260-05-.03 J28	This 30-hour course is intended to introduce students to practical applications and increase their understanding of listings, agency contracts, fair housing, antitrust, risk reduction, license law, ethics, and finance—as well as compare differences between the real estate specialties of residential sales, commercial practice, and property management.		
	TREC 6-Hour Core Course(I) Rule 1260-05.03(5)(a) J29	This 6-hour TREC Core CE Course is required every two years by statute to renew a Tennessee real estate license as a part of the required 16 hours of education. The remaining 10 hours of education may be fulfilled by the successful completion of approved elective ed.		
Negotiation Expertise, LLC #1538 Jana Jones	Certified Negotiation Expert(CNE) Designation Course(CR) Rule 1260-05-.03 J30	This course will introduce the core concepts of proper representation and effective negotiation, to arm real estate professionals with tools to better protect and serve their clients.	Mike Walker PREVIOUSLY APPROVED	12
Real Estate Training Institute #1420 Jim Clauson	Basic Principles of Real Estate(CR) Rule 1260-05-.03 J31	To prepare learners for the Tennessee Real Estate license exam.	Leslie Clauson PREVIOUSLY APPROVED	60
Success Real Estate School #1658 Susan Barnette	Broker Management Course(CR) Rule 1260-05-.03 J32	To instruct brokers about the systems, processes, standards, rules and responsibilities that come with earning a broker’s license as well as starting a company. Including management types, recruiting, training and leadership.	Susan Barnette Terry Barnette PREVIOUSLY APPROVED	30
TAR #1110 Steve McDonald	Time Management and Lead Generation: Systems, Tools and Disciplines(CR) Rule 1260-05-.03 J33	This course teaches agents how to do daily planning, time accountability, scheduling, lead generation, and establishing boundaries for work and personal life.	Ashton Gustafson PREVIOUSLY APPROVED	1

TAR...continued	Instantly Increase Your Sales with Instagram(CR) Rule 1260-05-.03(5)(a) J34	This course will assist the real estate professional in learning how to use Instagram to connect with clients and prospects.	Marki Lemmons PREVIOUSLY APPROVED	1
	Connect and Engage Now: Facebook LIVE for Real Estate(CR) Rule 1260-05-.03(5)(a) J35	This course will assist the real estate professional in learning how to use Facebook Live to enhance their business and give their customers the best experience possible.		1
	Branding Development: Making Your Mark in Your Market(CR) Rule 1260-05-.03(5)(a) J36	This course will maximize the agents ability to get noticed and stay top of mind in ways that matter most for the marketplace.	Ashton Gustafson PREVIOUSLY APPROVED	1
	Making Music in a Noisy World(CR) Rule 1260-05-.03(5)(a) J37	This course will show the real estate professional how not to get lost in the commotion of the industry and to use technologies as new ways to connect.		2
Tennessee Academy of Real Estate #1664 NEW	Principles of Real Estate(I) Rule 1260-05-.03 J38	To prepare students for state and national real estate exams and for a career in the real estate industry.	Marie King	60
Brant McGregor	Course For New Affiliates(I) Rule 1260-05-.03 J39	This course is intended to introduce students to practical applications and increase their understanding of the real estate profession including: listings, agency, contracts, license law, ethics and finance.		30

Course Requiring Discussion continued from last agenda:

Sponsor/Address/ Contact	Title	Comment	Instructor(s)	Hours
The CE Shop #1456 Rebecca Piltingsrud	Marijuana in Real Estate(I) Rule 1260-05-.03	This course reviews some of the key legislation related to marijuana, where the legal controversies exist, case studies, and the potential implications for real estate, including what's at stake for the licensees.	Michael McAllister	3

July 7, 2017

INSTRUCTOR BIOS

Linda Olson- Is a REALTOR, in Melborne, Fla., she specialized in all non-residential property types. She brings a unique perspective to the real estate field as she also has 20 years plus as an environmental consultant. She uses this experience to assist owners and buyers regarding the intricacies of developing/optimizing/selling and buying environmentally challenged property. Linda has authored and teaches courses that are centered on environmental concerns since 2010.

Louis Kent Breckenridge- Is a real estate Managing Broker, Real Estate Instructor and Property Manager from Mississippi; currently provides classroom instruction at the Oxford and Starkville campuses, including Pre, Post, and Continuing Education courses. He is associated with the Real Estate Training Institute, is REBAC Certified, and holds his CDEI, Certified Distance Educational Instructor.

Executive Director's Report**July 2017****Tennessee Real Estate Commission****Education –**

Instructor/Provider List Serv – the Listserv has been installed for future communication with course providers on updates at TREC on education. The first listserv communication will be the course providers on the new feature on the website of publishing the pass/fail ratios.

Instructor Certification Course – Staff is currently interviewing course developers for a Certification for of instructors with a combination of live and online.

Education Committee- Staff is recommending a review group from the Commissioners to review content and learning objectives of course submissions prior to the final approval by the commission.

Outreaches –

TREC has established topics and a schedule of 8 outreaches with TREC Executive Director and Attorney,
Sarah Mathews.

2017 Outreach Locations and Tentative Dates			
Association	Location	Tentative Date	Tentative Time
MTAR	Murfreesboro, TN	August 11, 2017	9:00 AM
WCAR	Brentwood, TN	August 14, 2017	9:00 AM
CWTAR	Jackson, TN	August 15, 2017	9:30 AM
RCAR	Springfield, TN	August 18, 2017	9:00 AM
GNAR	Nashville, TN	August 23, 2017	9:00 AM
GCAR	Chattanooga, TN	October 4, 2017	1:00 PM

Human Resources/Staffing –

The staffing grid for the TREC Staff is as follows:

	Executive Director
Ross White	Education Director
Melissa Fox	Office Manager and Processing Coordinator
Rachel Fowler	Licensee Education, Visitor Liaison
Sherry Brame	Administrative Assistant, Special Projects, Processing, Payments, Rosters, Schools
Ahmad Lewis	Auditor
Aaron Smith	Customer Service and Errors and Omissions
Liza Bennich	Customer Service, Processing, Mail, Visitor Liaison
Cherita Okoro	Customer Service, Processing, Coding
Rhonda Brown	Customer Service, Processing
Open AARB 2	In interview process

June Statistical Report –

Profession	Count
Acquisition Representative Registration	2330
Real Estate Firm	3943
Acquisition Agent Registration	42
Affiliate Broker	26639
Acquisition Agent License	135
Designated Agent for Vacation Lodging Services	98
Time Share Sale	956
Time Share Exempt	135
Vacation Lodging Service	108
RE Broker	7567
Time Share Registration	30

License Type	Status	LIC_COUNT
Individual	Active	31645
Individual	Broker Release	2
Individual	Inactive	1
Individual	Retired	6079
Individual	Suspended	765
Individual	Vol Surrendered	3518
Firm	Active	4182
Firm	Retired	76

June 2017

**EXAMS TAKEN BY
LICENSE TYPE**

Test	Tested	Pass	Fail`	% Passed	% Failed
TN- Acquisition Agent	15	14	1	93.33%	6.7%
TN Affiliate Broker- National	735	405	330	55.10%	44.90%
TN Affiliate Broker- State	684	481	203	70.32%	29.68%
TN Broker- National	49	21	28	42.86%	57.14%
TN Broker- State	50	39	11	78.00%	22.00%
TN- Timeshare Salesperson	80	58	22	72.50%	27.50%

Opened and Closed Complaint Cases-

Month	Opened Cases	Closed Cases
12/1/2016 – 12/31/2016	65	87 *14 with sanctions
01/01/2017 - 01/31/2017	70	67 *11 with sanctions
02/01/2017 - 02/28/2017	62	105
03/01/2017 - 03/31/2017	56	85
04/01/2017 - 04/30/2017	52	66
05/01/2017 - 05/30/2017	57	41 *5 with sanctions
06/01/2017 – 06/30/2017	87	86 *14 with sanctions

